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17 Attorneys for Defendants
18 PRINCIPAL LIFE INSURANCE CO. and
19 TARGET CORPORATION

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN JOSE DIVISION

23 DON BORG,

24 Plaintiff,

25 v.

26 PRINCIPAL LIFE INSURANCE CO.,
27 TARGET CORPORATION, and DOES 1
28 through 20, inclusive,

Defendants.

Case No. C-07-03149-HRL

[Hon. Howard R. Lloyd]

**STIPULATED REQUEST AND
[PROPOSED] ORDER CHANGING
DATE OF INITIAL CASE
MANAGEMENT CONFERENCE,
AND OTHER DATES**

Currently Set For: September 18, 2007

Time: 1:30 p.m.

Location: Courtroom 2

1 Pursuant to Northern District Local Rules 7-12 and 16-2(d), plaintiff Don Borg and
2 defendants Principal Life Insurance Co. ("Principal Life") and Target Corporation ("Target")
3 (collectively, "Defendants"), through their counsel, submit the following stipulated request
4 regarding the scheduling of the case management conference:

5 **WHEREAS**, plaintiff commenced the above-captioned action by filing his Complaint on
6 or about June 15, 2007.

7 **WHEREAS**, on July 16, 2007, Defendants filed with this Court a motion for an order
8 enlarging the time to respond to Plaintiff's Complaint, until August 16, 2007;

9 **WHEREAS**, this Court granted Defendants' motion to enlarge time on July 19, 2007;

10 **WHEREAS**, Defendants filed a Motion to Dismiss on August 16, 2007;

11 **WHEREAS**, plaintiff's opposition to Defendants' Motion to Dismiss is due
12 September 11, 2007;

13 **WHEREAS**, the hearing on Defendants' Motion to Dismiss is currently scheduled for
14 October 2, 2007 at 10 a.m.;

15 **WHEREAS**, if this Court were to grant Defendants' motion, this action would no longer
16 be pending before this Court;

17 **WHEREAS**, on June 14, 2007 this Court issued its "Order Setting Initial Case
18 Management Conference and ADR Deadlines" (the "Initial Scheduling Order"), setting an initial
19 Case Management Conference for Tuesday, September 18, 2007 and various other deadlines
20 calculated therefrom;

21 **WHEREAS**, the parties desire to defer the initial Case Management Conference, and the
22 other events governed by the Initial Scheduling Order pending the resolution of Defendants'
23 motion;

24 **WHEREAS**, continuing the case management conference until after defendants' motion
25 is resolved could conserve the parties' and the Court's time and resources; and

26 **WHEREAS**, plaintiff's schedule requires that the CMC is deferred beyond November 20,
27 2007;

1 **IT IS HEREBY STIPULATED AND AGREED**, by and between the parties and subject
2 to the approval of the Court, that:

3 The initial Case Management Conference set for Tuesday, September 18, 2007 shall be
4 continued to Tuesday, November 27, at 1:30 p.m.; and

5 All other deadlines set forth in the Initial Scheduling Order shall be continued by seventy
6 (70) days.

7
8 Dated: September 7, 2007

ANGELA L. PADILLA
EVA K. SCHUELLER
MORRISON & FOERSTER LLP

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10
11 By: /s/ Angela L. Padilla [e-filing signature]
Angela L. Padilla

12 Attorneys for Defendants
13 TARGET CORPORATION and
14 PRINCIPAL LIFE INSURANCE CO.

15 Dated: September 7, 2007

STANLEY G. HILTON
LAW OFFICES OF STANLEY G. HILTON

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18 By: /s/ Stanley G. Hilton [e-filing signature]
Stanley G. Hilton

19 Attorney for Plaintiff
20 DON BORG

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22
23 Dated: _____, 2007

The Honorable Howard R. Lloyd
United States Magistrate Judge

1 I, Angela L. Padilla, am the ECF User whose ID and password are being used to file this
2 Stipulation. In compliance with General Order 45, X.B., I hereby attest that Stanley G. Hilton has
3 concurred in this filing.

4 By: /s/ Angela L. Padilla [e-filing signature]
5 Angela L. Padilla
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